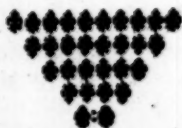


1668
TL64

T658

A
LETTER
TO A
MEMBER
Of this Present
PARLIAMENT
FOR
LIBERTY
OF
Conscience.



11p.

London, Printed in the Year 1668.

LIBERTY

MEMBER

PARLIAMENT

LIBERTY

Conscience.



London, Printed in the Year 1688.



A

LETTER

For Liberty of

CONSCIENCE.

SIR,



Could heartily wish, that our Condition at present were such, that we might study and debate how to advance the Glory, Riches and Power of this Nation, rather then with so much Distraction, labour, how to preserve its Being. But since the general ill Conduct of our Affairs under the late Chancellor and others, (for whom we ought to retain all due resentments, since they have reduced us to this necessitous posture.) Let us consider what our present Exigencies call for from us; and while therein we find a justification for the most extravagant debates and resolutions, let us continue sensible of their baseness who created the necessity, with which it is our prudence and unhappiness to comply.

There have been sundry Overtures and Projects in order to the Uniting of the minds of the Protestants here in this dangerous juncture of Affairs: I confess I am apprehensive of the dangers that any great change subjects a Government unto; I am sensible of the Repprtation of the House, which may suffer by rescinding its own Acts: I have made some reflections upon the parties that may endanger the

Kingdome by their factiousness : I have all just respect for the National Church of *England* in its present Constitution ; and I shall so order my Councils, that I deviat not from the Scripture, and the Constitution of God in the *Mosaical Law*, the Judgement and Practise of the primitive Fathers, and the Acts and Constitutions of those Emperours who first modelled Christianity, and accommodated it to Government, and who reduced the Empire (in circumstances not much different from ours) to as flourishing a condition, and as peaceable as ever it enjoyed. *

* As is clear from the Emperour *Theodosius* surnamed the Great ; and insisted on by *Bodin de repub.* who recommends the practise as prudential, and gave the Counsel to *Queen Elizabeth*.

In the Kingdome of *Israel* (that great President for Monarchy, as far as it is established by the Word of God) where God himself was Law-giver, and the Constitution is as unquestionable as his Authority that made it, and the wisdom of *Solomon* and some others (no Fools, nor Fanatics) that complied with it. The Settlement was thus as to Religion. The Jews, and such as were total Converts or Profelites of Justice, did observe all the *Levitical Law*, as it is made up of Ceremonies, and all the Decalogue or Ten Commandments. What the ceremonial conformity was you all know : and how much of it was performed in the Temple, in the several places or stations for the Priests, and Laity, Men and Women ? But did this constitution oblige all ? Could no man, or number of men live, and live openly there exempted from this Conformity, and exact Uniformity to every punctilio ? It is undeniable that it was quite otherwise. There were among the Jews a great number of persons, called *profyliti domicilii*, or strangers not profelytes of justice, that dwelt constantly among them, that were so far from being concluded by the *Mosaical Law*, that it was death for them to observe it. Of this number were many *Egyptians* that came up with them into the *Holy Land* ; Such were the *Gibeonites*, of whose number we may guess by the bigness of their City : Such were the *Canaanites*, that dwelt in the land, whose power was such, that they could not be exterminated.

exterminated by the *Israelites*. All these strangers (yet constant inhabitants of the Land) were onely obliged to the seven Commandments of *Noah*, and not to the Ceremonial Law at all. They worshipped in the same Temple, in a particular apartment, but with different Ceremonies: the Jews had a Liturgy, these no Form: they had Priests, these none: the Jews offered variety of Sacrifices and Oblations, these none but burnt offerings: the one observed the Sabbath, and divers Holy dayes, on the which the other might work; nay, the one worshipped God under several attributes, the God of *Abraham*, *Isaac* and *Jacob*; the other was not obliged actually to any worship, but negatively not to deny a Deity, or to speak irreverently or contumeliously of him: and when they did pray, it was onely the owning and worshipping a Creatour and Ruler of the world. *This is avowed by the greatest of the Rabbines from the time of Moses, to the time of his writing, and that is Maimonides: (a) and is at large proved by Mr. Selden, (b) and granted in the whole extent, as I have proposed it; by the learned Grotius, (c): a man of good credit with all Sons of the Church of England: Of the same mind are all that write of the Common-Wealth of the Jewes. As to the observation of the Sabbath, (d) (were it not for fear of being prolix) I would particularly illustrate that point, because it is a Dispensation with a Conformity with one of the Ten Commandments; which is at large proved too by Mr. Selden. (e)*

It is easie to compare this Liberty of Religion, with ours in England, as it is contended for, or opposed: and according to judge of the extent of a Tolleration, how far it may go, how publick it may be, how possible, and how practicable the thing is in it self: (for they had no standing

Army

(a) *Gentili qui legem Moisaicam observant, rem erat mortis: quippe cui tantum observanda erant septem praecepta Noachidarum seu omnium hominum communia.*

(b) *Jus naturale Hebraeorum.*

(c) *De Jur. Belli, cap. 1. lib. 1. par. 16.*

(d) *Prosehytos domicilli sed et eos qui Judaeismo nomine nondum dederunt, quaecumque vitae commercium intra ditionem Israeliticam admittit, non modo observantane Sabbati omnino solutes habere, sed penae gravissimae obnoxios, si observarent.*

(e) *De Jur. Nat. l. 3. c. 12. and the Talmudists say, Israelitae non prohibent ab opere Gentiliam in Sabbato.*

Army; and it was under a Monarchy, and that no despicable one, under *Solomon* and *David*) and how it had God himself for its establisher. I pass by the times under *Hezekiah* and his immediate predecessors from *Zerubbabel* downwards; in which, beside the aforesaid strangers, there were the several Sects of Scribes, Pharisees, Sadducees, and Herodians, whose Tenets if any shall enquire into, he shall find them to differ as much as our subdivided Christians and Protestants do; (f) As to the Essence, it is peculiarly observable that they declin'd the Temple-worship, and were the separatists of that age; and yet I must tell you, this condition of the Jewes was not altogether unhappy, and our Saviour never told the Magistrates that it was unlawful, or that it would be the ruine of the state; which cannot be otherwise than by accident impured thereunto.

(f) As Scalliger, Drusius, and Serrarius evidence.

As to the first Christians, while those unerring Guides of the Church instructed and ruled in the Church, and were as well the foundation of our Doctrine, as of our Hierarchy: let us take a view of their Establishment. There were Converts of the Jewes, and Converts of the Gentiles, and of the Gentiles some were Proselytes of the Mosaical Law, others of the profession onely of the Seven Commandments of *Noah*. The Jews, and such as did Judaize, observed all the Mosaical Law, as strictly as the Pharisees did; they did circumcise, and pay their vowes and worship in the Temple, and offer Sacrifice, and kept the Sabbath, and the like: So Origen *saies of those in his dayes*.

* *Judei qui in Jesum Christum crediderunt, non desceverunt a patriâ legibus; virum enim jubet eas contra celsum.*

(a) About Ecclesiastical Writers.

Nor was this onely at *Jerusalem*, where Judaism was National, but at *Alexandria*, and else-where, where it was not so: For St. *Jerome* (a) saith, that *Philo the Jew observed this at Alexandria*: Yet did the other converted Gentiles, not Judaizing, live according to a Christianity superadded to the Seven Commandments, and consequently differing in form of worship vastly. It is true, some went about to reduce them all

to

to Uniformity; but who were they? Some of the Jewes (mark that) which believed (in Christ, and yet strictly observed the Mosaicall Law,) of the Sect of the Pharisees, (a Sect so much decay'd by Christ) not the Apostles; and persons spirited by the Holy Ghost; Paul and Barnabas opposed it. And what character doth the Scripture bestow upon this design of Uniformity? In truth, that they troubled the Church, *Acts 15.* And behold the issue of these troubles. The Synod of the Apostles and others guided by the Holy Ghost, thus decide the Controversie. They do not like this Uniformity of Worship and Liturgies; for the Jewes had a Liturgy. This is no part of the *Visum est spiritui sancto & nobis*. No, they oblige them to a few, and those such as were onely necessary. For the Text, however vulgarly corrupted, and represented to establish Ecclesiastical Decisions as necessary, *is not in our* Biblia Polyglotta (b) (a candid work of the Bishops of our Church) in a Letter stands corrected thus; It seems meet to the Holy Ghost and us, not to lay upon you any further burthen, *what is* ~~absolutely necessary~~ beside what is absolutely necessary: that is (say very learned Writers) the Seven Precepts of Noah: for who will believe the Holy Ghost thought it necessary to Salvation, that we neither eat black Puddings, or Rabbits? That which follows is an illustration, not restriction; forbidding blood-shed, as well as Idolatry, and Fornication: (parts of the Law of Noah) And further that Holy Synod adds, And whatsoever you would not have done to your selves, do not that to others: which is a Decision I recommend to you in the like case; the debate being there as well as here, about Liberty of Conscience. That Liberty which you would not be deprived of, do not go about to deprive others of. (a)

Some Bibles only say they were Pharisees.

(b) It is not in the manuscript of our Kings Library, *namque illi in manu sunt*. Beside these subsequent necessary things.

* See Selden de jure Nat. lib. 7. cap. 12. You must note that the text speaks of things strangled, and blood; but by blood is meant blood-shed; and things strangled is an addition to the text, as the Fathers observe, and the Biblia Polyglotta and the other clause of avoiding that which they would not have done to them, is in old Copies, and so repeated by *Benam* and others; as you may see in the place above in Selden.

(a) For the precedent words include things necessary: the following therefore must refer to the point of Ceremonial Conformity.

As to the tolleration under Christian Emperours, I cannot but observe unto you Sir, That it was the judgement of those primitive times, and every where discovers it self in the Edicts of the first Christian Emperours, and Fathers, that Religion is not to be enforced, but that every one should abound in his own sense, and that all variety not onely of Opinions, but diversity of Religions should be tolerated in the State, if they were not destructive to Government. In this point Tertullian (b) is peremptory, and

(b) In his Discourse to Scapula.

(c) In his Book de Justitia, speaking of supporting Religion by Cruelty, Oppression and blood-shed, *iam non defendere illi, sed pollueret et violaretur: Nihil enim est tam voluntarium quam religio.*

(d) Related by Baronius in his Annals of the year 324. *Inter divina et humana servitia hoc interest, quod humana servitia coacta sint, divina autem voluntaria comprobentur.*

Lactantius; (c) and agreeable to this is the Speech of Constantine (d) to the Roman Senate; the particular passages I would willingly recite, were there not, beside protracting this Discourse, a great deal of pedantry in quoting Latin: And I should be too tedious, should I relate unto you all the Edicts made to this purpose by the subsequent Emperours, which are Recorded in the Theodosian Code. No

learned Son of the Church of England can deny it; And Chrysostome is positive, that no Godly Emperour did Enact against the Pagans any such Laws, or they did against the Christians. No man versed in Antiquity can deny but that all the Sects of the Christians, the Pagans, and the Jews, had a full Liberty of Conscience and Religion, without being excluded from publick offices of Trust and Profit in the Senate, Army and Court. So that these times which our Episcopall Divines so much recommend unto our imitation, when their Hierachy is concerned, and their Ceremonies, these times do clearly assert the lawfulness of a General Liberty of Conscience, without subjecting the several dissenters to any penalties. The Heathen had their Priests, their Pontifices, Augures, Quindecim viros sacris faciundis, Salios, &c. untill the time of Theodosius. * The Arians had their Bishops; the Novatians their Bishops, and Churches (not to mention other Sects) in the same Diocesses in which the

* Ommphrius
de scr. arb. tom.
lib. 2.

more

more orthodox Bishops had also their jurisdiction, and made up the national religion of the *Roman Empire*. The *Jews* also had their *Academies* and *Patriarchs*. From all which I do conclude, that it is lawful to enact for Liberty of Conscience; and that such Acts are not inconsistent with Government, nor subject to those inconveniencies many suggest; since such Monarchies have flourished notwithstanding them: All those conjectures are refuted by the aforesaid instances. Nor need they trouble themselves to object, that the *Roman Empire* had a standing Army to preserve the Peace and Authority of the *Empire*; seeing that those of that Army were diversify'd by their several Religions: and it is all one not to have any Army at all, or to have one composed indifferently of the several parties that were to be kept under.

Having thus laid before you the judgement and practise of the best times; it will not be amiss to reflect upon the several ways and endeavours have been used toward the uniting the minds of men about Religion.

As to the Popish way of enforcing a general Uniformity, it is so barbarous, so unchristian, and so generally rejected by Protestants, that I believe you cannot endure an harangue in the behalf of the inquisition: and to extoll the practises of *Queen Mary's* days were as absurd, as to write an *Encomium* for *Phalaris*, or *Bustirius*, or *Nero*.

Another way of Uniting them hath been by contriving general forms and wayes, (not much unlike the Device of Comprehension, if I understand it aright) to which each party might subscribe: but this way God never blessed, but it proved like the fire-brands, which (with the cords) united the tails of *Sampsons* foxes, while their heads were at distance; and being put into the corn, they burnt it; as this method hath set all Kingdoms on fire. Nor is it Policy; for instead of abrogating all, it gives a countenance to all opinions it would extinguish. How little are the controversies ceased between the *Dominicans* and *Jesuites*, since the equivocal Council of *Trent*, to which they subscribe; and which both parties alledge? So among Protestants, how little are

controversies extinguished by the dubious or general texts of Scripture? nay, are they not eternised by them? how little doth the dubious Creed of the Apostles conduce to the deciding among Protestants or *Socinians*?

As to the uniting therefore of mens minds into one Religion, it is impossible; it is as impossible to make all mens consciences of the same extent and latitude, as to make all mens shooes of the same size. Different gifts make different professions: since none is accountable for more then he hath received. The weak are not to condemn the strong; and the strong are to tolerate, not destroy the weak. This is Gospel. and I hope you will make this to be Law. Take away the condemning of the one, and the oppression of the other, and you will establish the Church, rather then destroy it, or the peace of this Nation. Besides,

I desire you would observe that there is no president of any Liberty of Conscience granted on penalties: for that unavoidably establisheth a faction: for it is natural for mankind to desire to be at ease, and to wish, and (upon occasion) to endeavour its redress and relief from any grievance; and it is as natural for such as reap benefit from the depression of others, to strive to continue them in that oppressed condition: from hence ariseth anger, hatred, malice, and all uncharitableness, and such contention as destroys a State. *If a Kingdom be divided, how can it stand?* as all things different are not opposite: no more is all distinction a factious division, and destructive to the being of a Government. All you make up one Parliament: personal quarrels may raine you, but personal distinctions will not. Contrarieties mutually expel each other out of the same subject by course of nature, things disparat do not.

Since therefore a Popish Inquisition is barbarous and odious; subscribing to general forms and opinions dangerous, and ineffectual; uniting mens minds into one religion impossible; and no liberty granted upon penalties: What other way is left us to unite, but to allow each Church its several way of worship? which kind usage with moderate endeavours, and not imposing general opinions, may in time (as

it was of old) so far prevail with them to reconcile the differences among themselves, that at last they may arrive to a mutual communion, though not an exact Uniformity. Thus the *Millenarians* of old, and *Fifth Monarchy* men communicated with the other *Christians*: and so it was with Mr. Mead and the Church of *England*: Thus the baptized *Christians* and the *Anabaptists* (*) made up one Church: Thus the *Judaizing Christians* and *Gentiles* communicated together; So did the *Arrians* (†) and *Trinitarians*. And methinks it is odd, that the Church of *England* should suffer our tutelar Saint to be St. George, (a) that *Arrian* Bishop, and yet not allow the communion of any favour to an *Anabaptist*, or fifth *Monarchist*. Such a communion I say, were to be wish'd, and the only way we can hope for at present to unite us, is to allow (b) each Church its several way of worship, they maintaining their Ministers: all reproachful language, and odious consequences impos'd upon each party, as well as odious names, being prohibited: as were the names of *Heretick* and *Scismatick* by Qu. Eliz. This course hath succeeded well; for under it Religion grew: and whilst Religion was no mans Interest, it was scarce any mans Hypocrisy: when truth had no other recommendations but its naked self, such as embrac'd it did it cordially. Nor was it ever demonstrated, or can be, that the use of this Liberty did directly and necessarily introduce such factions as are inconsistent with any Government or Monarchy. And if it were only the abuse of it; let us look to that: since the Church of *England* so often inculcates to us, that *propter abusum non est tollendus usus*: for that were like the forbidding (c) the *Scythians* to plant wine, because wine might make them drunk. To conclude all therefore, Let us in our Law be as tender of Mens Consciences, as our Common Law is of their lives; which takes care rather that a thousand Criminals should escape, then one innocent be destroyed.

(*) As *Tertullian* *Nazianzen*, the *Emperours Constantine* and *Valentinian*.
(†) V. *Eusebius*.
(a) As *Calvin* faith.

(b) *Constantine* and the subsequent *Emperors* maintained at their charge, the variety of Religions, *Priests* and *Sacrifices*: As there had been at *Antioch* one *Antioch*, one *Apostle* for the *Jews*, and another for the *Gentiles*; so there were afterwards in the same *Cities*, besides the different *Heathen Priests*, *Bishops* to the

Novations, *Arrians*, *Donatists*, and *Catholics*. (c) *Aristotle* condemns that *Paralogism* of *Anacharsis*.

F I N I S.